

REMARKS

Reconsideration of the application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the applications are claims 1 to 16 and 20 to 23, all other claims having been cancelled. It is believed that the claims have been restricted to the elected invention and applicants reserve the right to file a divisional application to the non-elected subject matter.

Claims 1 to 16 and 20 to 23 have been rejected under 35 U.S.C. 112 first paragraph as failing to comply with the written description requirement in “all possible isomers” and not being enabling for all possible isomers.

Applicants respectfully traverse these rejections since it is believed that the claims have an enabling description and the objected terminology is routinely accepted by the Patent Office as can be seen from the claims of U.S. patent No. 6,667,429 cited by the Examiner. Therefore, withdrawal of this ground of rejection is requested.

All the claims were rejected under 35 U.S.C. 112 second paragraph as being indefinite in terms which applicants believe have been corrected in the presently amended claims. Therefore, withdrawal of this ground of rejection is requested.

All the claims have been rejected under 35 U.S.C. 102 as being anticipated by Courtin et al. No. 99/29716 or U.S. Patent No. 6,667,429 and obvious over the same references.

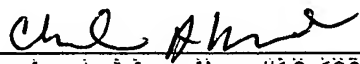
Applicants respectfully traverse these grounds of rejection since the Courtin et al. references are only entitled to the effective date of June 17, 1999 while the present application has a French filing date of June 9, 1999. Applicants are in the process of obtaining a sworn English translation of the priority document to obviate these grounds of rejection. Therefore, withdrawal of this ground of rejection will be requested upon filing the translation.

With respect to the 103 obviousness rejection, the value of applicants' R does not reasonably permit one skilled in the art say that the compounds of application are obvious from the R values of the '429 patent. Therefore, this ground of rejection fails.

Claim 21 has been rejected upon obvious double patenting with respect in the '429 patent. Claim 21 has been limited to compounds of formula III and applicants are filing herewith a Terminal disclaimer to obviate this ground of rejection.

In view of the amendments to the claims and the above remarks, it is believed that the claims point out applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
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Enclosures